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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA, *Plaintiff,* v. **MICHAEL P. STEIN,** *Defendant,* and **MORGAN STANLEY SMITH BARNEY, and its successors or assigns,** *Garnishee.*	**Hon. Esther Salas** **CRIMINAL No. 11-839** **APPLICATION AND ORDER FOR WRIT OF GARNISHMENT**

The United States of America, plaintiff, makes this application in accordance with 28 U.S.C. § 3205(b)(1) to the Clerk of the United States District Court to issue a Writ of Garnishment upon the judgment entered against the defendant, Michael P. Stein, social security number *******8148, whose last known address is West Caldwell, NJ 07006 in the above cited action in the amount of $725,256.45, plus interest at the rate of % per annum and penalties.

The total balance due and owing as of May 4, 2012 is $725,256.45.

Demand for payment of the above-stated debt was made upon the debtor not less than 30 days from May 4, 2012, and debtor has failed to satisfy the debt.

The Garnishee is believed to have possession of property in which Michael P. Stein has a substantial non-exempt interest. More specifically, the Garnishee is a financial institution which is believed to have in its custody, control, or possession, property belonging to the judgment debtor, Michael P. Stein.

The name and address of the Garnishee or his authorized agent is:

Morgan Stanley Smith Barney
388 Greenwick Street
16th Floor
New York, NY 10013
Attn: Legal Department

Based upon the foregoing, the United States respectfully requests the Court to enter an Order directing the Clerk of the United States District Court to issue a Writ of Garnishment.

PAUL J. FISHMAN
United States Attorney

By: JORDAN M. ANGER
Assistant U.S. Attorney

IT IS, on this 11th day of May, 2012,

ORDERED, that the Clerk of the Court shall issue the Writ of Garnishment.

HON. ESTHER SALAS, JUDGE
UNITED STATES DISTRICT COURT

PAUL J. FISHMAN
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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA, *Plaintiff,* v. **MICHAEL P. STEIN,** *Defendant,* and **MORGAN STANLEY SMITH BARNEY, and its successors or assigns,** *Garnishee.*	**Hon. Esther Salas** **CRIMINAL No. 11-839** **WRIT OF GARNISHMENT**

GREETINGS TO: Morgan Stanley Smith Barney
388 Greenwick Street
16th Floor
New York, NY 10013
Attn: Legal Department

An Order Granting Application of the United States for a Writ of Garnishment against the property of Michael P. Stein, defendant, has been filed with this Court. A judgment has been entered against the above-named defendant in the amount of $725,256.45, plus interest and penalties, computed through May 4, 2012.

You are required to begin withholding in accordance with this garnishment from the date you were served with these papers.

You are required by law to answer in writing, under oath, within ten (10) days, whether or not you have in your custody, control or possession, any property in which has a substantial non-exempt interest. You must state the amounts you anticipate owing Michael P. Stein in the future.

You must file the original written answer to this writ within ten (10) days of your receipt of this writ with the United States District Clerk at: King Federal Courthouse, 50 Walnut Street, Newark, N.J. 07102. Additionally, you are required by law to serve a copy of this writ upon the debtor and upon the United States Attorney, Financial Litigation Unit, 970 Broad Street, 7th Floor, Newark, NJ 07102.

Under the law, there is property which is exempt from this Writ of Garnishment. Property which is exempt and which is not subject to this order is listed on the attached Claim for Exemption form.

If you fail to answer this writ or withhold property in accordance with this writ, the United States of America may petition the Court for an order requiring you to appear before the Court. If you fail to appear or do appear and fail to show good cause why you failed to comply with this writ, the Court may enter a judgment against you for the value of the debtor's non-exempt property. It is unlawful to pay or deliver to the defendant any item attached by this writ.

DATED: 5/15/12

WILLIAM T. WALSH
UNITED STATES DISTRICT COURT CLERK

By: [signature]
DEPUTY CLERK

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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA, *Plaintiff,* v. **MICHAEL P. STEIN,** *Defendant,* and **MORGAN STANLEY SMITH BARNEY, and its successors or assigns,** *Garnishee.*	**Hon. Esther Salas** **CRIMINAL No. 11-839** **CLERK'S NOTICE OF POST-JUDGMENT GARNISHMENT**

TO THE ABOVE-NAMED DEFENDANT AND ALL OTHER PERSONS INTERESTED:

You are hereby notified that property in the possession, custody, or control of Morgan Stanley Smith Barney, in which you have an interest, is being taken by the United States of America which has a Court judgment in CRIMINAL No. 11-839 in the sum of $725,256.45. A balance of $725,256.45 remains outstanding.

In addition, you are hereby notified that there are exemptions under the law which may protect some of the property from being taken by the Government if Michael P. Stein can show that the exemptions apply. Attached is a summary of the exemptions which are applicable.

If you are Michael P. Stein you have a right to ask the court to return your property to you if you think you do not owe the money to the Government that it says you do, or if you think the property the Government is taking qualifies under one of the above exemptions.

The instructions for objection to the Answer of the Garnishee and for obtaining a hearing on the objections are set forth in the "Notice of Garnishment and Instructions to the

Above-named Defendant" served upon you by the United States of America.

If you want a hearing, you must notify the court within 20 days after receipt of the notice. Your request must be in writing.

If you wish, you may use this notice to request the hearing by completing the Request for Hearing Form which is attached to the Writ of Garnishment. You must either mail it or deliver it in person to the Clerk of the United States District Court at the King Federal Courthouse, 50 Walnut Street, Newark, N.J. 07102. You must also send a copy of your request to the United States Attorney, Financial Litigation Unit at 970 Broad Street, 7th Floor, Newark, NJ 07102, so the Government will know you want a hearing.

The hearing will take place within 5 days after the Clerk receives your request, if you ask for it to take place that quickly, or as soon after that as possible.

At the hearing you may explain to the judge why you think you do not owe the money to the Government. If you do not request a hearing within 20 days of receiving this notice, a Court Order will be entered attaching the wages, monies, and/or commissions which will then be applied against the judgment owed the Government.

If you think you live outside the Federal judicial district in which the court is located, you may request, not later than 20 days after you receive this notice, that this proceeding to take your property be transferred by the court to the Federal judicial district in which you reside. You must make your request in writing, and either mail it or deliver it in person to the Clerk of the District Court at the King Federal Courthouse, 50 Walnut Street, Newark, N.J. 07102. You must also send a copy of your request to the United States Attorney, Financial Litigation Unit at 970 Broad Street, 7th Floor, Newark, NJ 07102, so the Government will know you want the proceeding to be transferred.

Be sure to keep a copy of this notice for your own records. If you have any questions about your rights or about this procedure, you should contact a lawyer, an office of public legal assistance, or the clerk of the court. The clerk is not permitted to give legal advice, but can refer you to other sources of information.

WILLIAM T. WALSH
CLERK, U.S. DISTRICT COURT

By: ______________________
Deputy Clerk